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7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

8 SARAH LATHAM,)
 9)
 10 Plaintiff,)
 11 v.)
 12 WELLPATH, LLC, fka)
 13 Correct Care Solutions,)
 14 LLC, a Foreign Limited)
 15 Liability Company,)
 16 licensed to do business)
 17 in Nevada,)
 18 Defendant.)

Case No. 2:21-cv-01434-GMN-VCF

16 **JOINT DISCOVERY PLAN AND SCHEDULING ORDER**
 17 **SUBMITTED IN COMPLIANCE WITH LR 26(1)(b)**

18 The parties hereto, by and through their undersigned
 19 counsel, conferred on November 3, 2021, as required by Rule 26(f)
 20 of the Federal Rules of Civil Procedure and hereby stipulate the
 21 following may constitute the discovery plan and scheduling order
 22 in this matter pursuant to LR 26-1(e) and Fed. R. Civ. P. 26(f).

23 **LOCAL RULE 26-1(e) INFORMATION**

- 24 1. **Discovery cut-off date:** The Parties request the
 25 standard 180 day discovery period from the date
 26 Defendant's Answer to the Amended Complaint is due,
 27 November 15, 2021. Accordingly, the Parties request
 28 until and including May 9, 2022, to complete discovery
 in this case.

2. **Amendment of pleadings and addition of parties:**

Unless otherwise provided and ordered by the Court, the date for filing motions to amend the pleadings shall be ninety (90) days prior to the close of discovery. Such motions shall be filed by February 8, 2022.

3. **Expert Witnesses:** Disclosure of expert witnesses shall be made sixty (60) days before the discovery cut-off date. Disclosures respecting rebuttal experts shall be made thirty (30) days after the initial disclosure of experts. Disclosure of expert witnesses shall be made pursuant to Fed.R.Civ.P. 26(a)(2) by March 10, 2022. Rebuttal experts shall be disclosed by April 11, 2022.

4. **Dispositive Motions:** Dispositive motions shall be filed not later than thirty (30) days after discovery cut-off date. These motions shall be filed by June 8, 2022.

5. **Pretrial Order:** The joint pretrial order shall be filed not later than thirty (30) days after the date set for filing dispositive motions. The joint pretrial order shall be filed by July 8, 2022, unless a dispositive motion has been filed. In that event, the date of filing the joint pretrial order shall be suspended until thirty (30) days after the decision on the dispositive motions or further order of the Court.

6. **Extension of Discovery:** All motions or stipulations to extend discovery must be received by the Court not later than twenty-one (21) days ~~before the close of~~

before the expiration of the subject deadlines. LR 26-3
~~discovery. The motions or stipulations shall be filed~~
~~by April 18, 2022.~~

7. **Fed.R.Civ.P. 26(a) (3) Disclosures:** Disclosures required by Fed.R.Civ.P. 26(a) (3) and objection thereto shall be included in the pretrial order.
8. **Alternative Dispute Resolution:** In compliance with LR 26-7(b) (7), the Parties certify that they have met and conferred about the possibility of using alternative dispute-resolution processes including mediation, arbitration and the Early Neutral Evaluation ("ENE") process. This matter is currently designated as a mandatory ENE case.
10. **Trial Alternative:** The Parties certify that they have met and considered a trial by a magistrate judge pursuant to 28 U.S.C. §636(c) and Fed. R. Civ. P. 73 and the use of the Court's Short Trial Program. At this time, Plaintiff filed a jury demand in state court prior to removal and will not waive that right, and will not agree to the Short Trial Program. A final decision regarding possible trial by the Magistrate Judge has not been made at this time. The Parties believe they will present evidence in electronic format to jurors for the purpose of jury deliberations.

FED.R.CIV.P. 26(f) INFORMATION

11. No changes shall be made to the form or requirement of disclosures under Fed. R. Civ. P. 26(a) (1) (A). The Parties shall exchange initial disclosures required by Fed. R. Civ. P. 26(a) (1) (C) on or before November 29,

2021.

12. Electronically stored information shall be preserved by both Parties, and shall be produced in the form which ensures that it is accessible and searchable.

13. The parties agree to conduct discovery according to the above schedule. Discovery shall not be conducted in specified phases.

Dated: November 9, 2021

Respectfully submitted,

Law Office of Mary F. Chapman,
Ltd.

Ogletree, Deakins, Nash, Smoak
& Stewart, P.C.

By: /S/ Mary F. Chapman

By: /S/ Noel M. Hicks

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ORDER

IT IS SO ORDERED this 9th day of November, 2021.



UNITED STATES MAGISTRATE JUDGE